United Nations A/C.3/60/SR.32

General Assembly
Sixtieth session

Official Records

Distr.: General
21 November 2005

Original: English

Third Committee

Summary record of the 32nd meeting
Held at Headquarters, New York, on Wednesday, 2 November 2005, at 9.30 a.m.

Chairman: Mr. Anshor (Vice-Chairman) ..... (Indonesia)

Contents

Agenda item 71: Human rights questions (*continued*)*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)*

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)*

(e) Report of the United Nations High Commissioner for Human Rights (*continued*)*

* Items which the Committee has decided to consider together.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-58337 (E)

In the absence of Mr. Butagira (Uganda), Mr. Anshor (Indonesia), Vice-Chairman, took the Chair.

The meeting was called to order at 9.55 a.m.

Agenda item 71: Human rights questions (*continued*) (A/60/40, 44, 129, 336, 392 and 408)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/60/134, 266, 272, 286, 299, 301 and Add.1, 305, 321, 326, 333, 338 and Corr.1, 339 and Corr.1, 340, 348, 350, 353, 357, 374, 384, 392, 399 and 431; A/C.3/60/3)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/60/221, 271, 306, 324, 349, 354, 356, 359, 367, 370, 395, 422 and Corr.1)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/60/36 and 343)

1. **Ms. Juul** (Norway) said that the report by the Special Representative on human rights defenders (A/60/339) revealed a grim reality of threats, harassment and attacks targeting human-rights defenders and their relatives worldwide. Impunity for such crimes often exacerbated the situation. Moreover, her delegation noted with concern the increase in new, restrictive legislation regulating the establishment and functioning of non-governmental organizations, which impeded their ability to conduct their work. Restrictions on the operations of human-rights defenders were a reli[able] indication of other human-rights violations. While several United Nations bodies had expressed an interest in the development of early-warning mechanisms to alert them to emerging peace, security and related human-rights problems, such mechanisms already existed in the form of the work of human-rights defenders. At times, the failure to respond early to warnings from human-rights defenders had allowed situations to deteriorate even further.

2. Member States must all give greater consideration to information from human-rights defenders. The Office of the United Nations High Commissioner for Human Rights (OHCHR) must also consider means of supporting United Nations offices, departments and agencies to strengthen the role and security of human-rights defenders. Enhanced interaction between human-rights defenders and the United Nations and its personnel, in particular at the country level, was needed.

3. Her Government was currently elaborating tools to strengthen its support for human-rights defenders both at home and abroad, and commended the European Union for having adopted guidelines on human-rights defenders as well as other regional initiatives for their protection and support.

4. The mandate of the Special Representative of the Secretary-General on human-rights defenders remained a pivotal part of the United Nation's human-rights machinery. The international community must now follow up on her valuable conclusions and recommendations.

5. **Mr. Ainchil** (Argentina) said that economic development, security and human rights must be given the same level of treatment. In cooperation with the High Commissioner for Human Rights, his Government had adopted a national plan against discrimination in 2005 as part of its foreign policy on human rights in accordance with the documents adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001.

6. Argentina had taken decisive judicial steps to end impunity for perpetrators of past human-rights violations at home and abroad. Essential to such efforts at the international level were the International Criminal Court and the Basic Principles and Guidelines on reparations annexed to Commission on Human Rights resolution 2005/35. His Government had also ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and welcomed the outcome of the work of drafting a legally binding normative instrument for the protection of all persons from enforced disappearance, which had brought to a close an arduous negotiating process in which Argentina had worked intensely.

7. Argentina placed high priority on the progress of the negotiations within the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities. His delegation reaffirmed its support for OHCHR and for the High

Commissioner's Plan of Action, and welcomed the agreement made to double the OHCHR budget over the next five years. It supported the special procedures of the Commission on Human Rights, and attached great importance to ongoing dialogue with civil-society organizations to ensure respect for human rights through the Commission's existing mechanisms. It also supported the creation of a Human Rights Council.

8. **Mr. Rogachev** (Russian Federation) said that United Nations activities to promote and defend human rights had reached a watershed. The Human Rights Council would be called on to help Member States to make concerted efforts to meet new threats and challenges in that area. Without widespread agreement on the composition, election procedures and mandate of the Council, its credibility could be undermined even before it was established. Member States should therefore exercise caution with respect to any decision concerning the Council. The Russian Federation continued to advocate wide-ranging, multilateral and comprehensive consultations. Until the Council was established and began its substantive work, the Commission on Human Rights, together with its special-procedures system and the Sub-Commission on the Promotion and Protection of Human Rights, must continue to function fully. His delegation urged others not to attempt to cancel the sixty-second session of the Commission.

9. The Russian Federation supported the work of the High Commissioner for Human Rights, whose visit to Russia in February 2005 had renewed relations with the Office and contributed to a better understanding of the priorities of the parties in the area of human rights. His Government looked forward to seeing an OHCHR representative installed in Moscow as soon as possible, and confirmed its invitation to the High Commissioner to visit the regions of the Russian Federation, including the northern Caucasus.

10. The horrendous terrorist attacks which had affected the entire world had put the issue of the universal right to protection against terrorism on the international agenda. The Russian Federation had repeatedly stated its readiness to strengthen international cooperation on the human-rights dimension of counter-terrorism. The prospects for such cooperation had often been thwarted, however, by attempts to distinguish between "good" and "bad" terrorists, to grant terrorists asylum in contravention of the principle of "extradite or prosecute", or to refuse to recognize them as human-rights offenders.

11. It was time to abandon academic arguments as to whether States alone could violate human rights. The United Nations and other international organizations had taken a broader approach to human rights and recognized the active part played by non-State actors in international life. Any attempt to pursue such arguments was nothing less than speculation on the suffering of the victims of terrorist acts.

12. **Ms. Gardashova** (Azerbaijan) said that the promotion of human rights and the rule of law had been an integral part of Azerbaijan's national development strategy. Her Government attached importance to the strengthening of OHCHR and its efforts to engage directly with Member States on human-rights issues, including through provision of technical cooperation and advisory services.

13. The report of the High Commissioner (A/60/36) suggested useful and efficient ways for improving the existing human-rights mechanisms. Her Government supported reform of the existing human-rights-treaty bodies. There was sufficient scope for improving their working methods, in particular those concerning the consideration of country reports. The proposed harmonized guidelines for reporting could be useful for Member States by reducing the burden of preparing country reports and developing efficient country mechanisms for comprehensive and timely reporting.

14. Her Government supported the establishment of a Human Rights Council and trusted that it would not only be able to reveal situations of gross violations of human rights but would also address them effectively and promptly. The establishment of effective mechanisms to monitor the implementation of the decisions of the new body was of paramount importance.

15. Since regaining its independence, Azerbaijan had acceded to almost all major international human-rights instruments, and considered it a priority to implement its obligations under those documents, as well as those stemming from the Charter, the Organization for Security and Cooperation in Europe and the Council of Europe. Reform of Azerbaijan's judicial and penitentiary systems was currently under way. Measures had been taken to recruit new staff for the courts and prosecutor's offices, and prison censorship for correspondence between prisoners and their

attorneys had been abolished. The new election code had been further amended in 2005 in accordance with the recommendations of OSCE and the Council of Europe. The Penal Code was being periodically amended to reflect Azerbaijan's international commitments. Furthermore, amendments to the Constitution had granted citizens the right to appeal to the Constitutional Court.

16. Although the protection of the human rights of minorities contributed to the stability of the States in which they lived, their rights should not be interpreted so as to contradict the fundamental principles of international law, in particular the principles of territorial integrity, sovereign equality and political independence set forth in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

17. The United Nations must assume a leadership role in efforts to protect internally displaced persons. Recognizing that States bore primary responsibility for their protection, Azerbaijan, which had one of the highest numbers of displaced persons in the world, spared no effort to ensure their basic rights by enacting various humanitarian and development programmes. The international community must take into account the challenges faced by States with displaced populations and the capacity of Governments to meet them.

18. Lastly, she stressed the importance of effective coordination among international organizations at the country level to avoid duplication of activities and ineffective use of available resources.

19. **Ms. Laohaphan** (Thailand) said that success in promoting and protecting human rights for all must be measured by how international human-rights norms really affected the life of each individual. Her delegation therefore welcomed the Plan of Action submitted by the High Commissioner for Human Rights (A/59/2005/Add.3) as well as her report (A/60/36).

20. Nevertheless, States had the primary responsibility for ensuring that all persons within their jurisdiction enjoyed their human rights in a full and equal manner, assisted by OHCHR through effective country engagement. Her delegation noted with satisfaction that OHCHR was currently developing policy guidance for country engagement to facilitate a more holistic and sustainable approach to its work.

21. It was essential for OHCHR to render technical assistance to States at their request to enhance their capacity and ensure that national human-rights actors such as the judiciary and law-enforcement officials were provided with the necessary skills and knowledge. Technical assistance must be packaged in a way that was sensitive to the specific needs, cultures, traditions and values of each State.

22. Her delegation agreed with the High Commissioner's proposal to establish standing capacities for rapid response, fact-finding and investigations. Well-coordinated efforts between the Human Rights Council and all United Nations human-rights machinery, including OHCHR and the United Nations country teams, were essential for early detection of human-rights violations.

23. Her delegation welcomed the doubling of OHCHR regular-budget resources over the next five years. That must be coupled with an enhancement of the capacity of OHCHR, including management and geographically balanced recruitment. A pool of staff with diverse backgrounds and experiences was much needed.

24. Lastly, she noted with satisfaction the establishment of a unit within OHCHR to provide States with advice on a rights-based approach to achieving the Millennium Development Goals and realizing the right to development. Sustainable development could be attained only if based on human rights. Likewise, human rights could not be ensured if development and security were not well in place. More could and should be done to explore the linkages between development, security, and human rights.

25. **Mr. Hyassat** (Jordan) said that his delegation welcomed the establishment of the Human Rights Council, which would advance the human-rights agenda of the Organization. Member States must take full advantage of the momentum gained to ensure that the Council discharged its mandate effectively.

26. While his Government condemned all forms of terrorism, any counter-terrorist measures must be in accordance with international human rights and with refugee and humanitarian law. His delegation therefore welcomed the establishment of the mandate of the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism and his preliminary report (A/60/370). In addition, it was also crucial to address

the underlying causes of the scourge and to raise public awareness to prevent it.

27. He welcomed the progress made by the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities, as outlined in its report (A/60/266).

28. His delegation also commended the work of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967. His excellent report (A/60/271) demonstrated that the Palestinian people were increasingly affected by Israel's violations of human rights and international humanitarian law in the Occupied Palestinian Territory. His Government therefore called on the Israeli Government to fulfil its obligations under international law, including those put forward in the advisory opinion of the International Court of Justice of July 2004 on the legal consequences of the construction of the wall. While his delegation welcomed the Israeli withdrawal from Gaza, Israel remained subject to the Fourth Geneva Convention and was responsible for ensuring the protection and welfare of Palestinians. The withdrawal should also be part of the road map and help the parties concerned to reach a just and lasting peace in accordance with the relevant United Nations resolutions.

29. **Ms. Davtyan** (Armenia) said that the decision to create the Human Rights Council was a milestone which, hopefully, would help to elevate human rights in the work of the United Nations. Her delegation supported the strengthening of OHCHR and hoped that it would be able to improve its response to existing challenges. As the primary responsibility for human rights lay with Governments, it attached particular importance to enhancing State capacities in meeting their human rights obligations.

30. It welcomed the recognition by the 2005 World Summit of the international community's responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, and reaffirmed its support for the Special Adviser to the Secretary-General on the Prevention of Genocide. It also hoped that an effective early-warning mechanism could be elaborated to prevent the recurrence of such tragedies.

31. Her delegation emphasized the importance of human rights and democratic foundations in conflict-torn societies and called on the international community to provide assistance to the parties in conflict who had embarked on the road to democracy.

32. The Armenian Government was continuing to work on building a democratic society and promoting respect for human rights. It was fully committed to its obligations as a member of the Council of Europe and had been working closely with the monitoring group responsible for follow-up. Armenia had carried out significant legislative and judicial reforms and a referendum on constitutional amendments was about to take place. The proposed amendments would bring the Constitution into alignment with European standards by enhancing the independence of the judiciary and promoting local democracy and freedom of the media. The Council of Europe had monitored the recent local elections and had deemed them satisfactory.

33. **Ms. Rasheed** (Observer for Palestine) said that Israel continued to violate the human rights of the Palestinian people by killing and wounding civilians, including women and children, and by destroying homes and property. The continued restriction of movement had led to a further deterioration of the already dire economic and social conditions of the Palestinian people, affecting access to jobs, schools, health care, food and water.

34. More than 8,000 Palestinians were being held in Israeli prisons or detention centres, where they lived in deplorable conditions and were subjected to physical abuse and even torture. Access to the outside world, including families and legal representation, was severely restricted.

35. The Israeli occupation was, in and of itself, a grave violation of the rights of the Palestinian people, including their inalienable right to self-determination and freedom. Under international law, Palestinian civilians were considered protected persons and as an occupying Power, Israel was obligated to ensure their safety and well-being.

36. The widespread destruction of hundreds of homes and properties had continued during the period under review, including in East Jerusalem. According to the report of the Special Rapporteur on the situation of human rights in the Palestinian territories (A/60/271, para. 29), the purpose of the destruction was to increase the Jewish population and undermine Palestinian claims to East Jerusalem as the capital of an independent Palestinian State.

37. The construction of the wall and the settlement campaign had also had catastrophic implications for human rights. Israeli settlers continued to torment Palestinians and destroy their lands with complete impunity, and had even beaten and terrorized Palestinian children on their way to school. Palestine called upon Israel to cease its construction of the wall and dismantle the existing parts, in accordance with the advisory opinion of the International Court of Justice.

38. Although the dismantling of Israeli settlements in Gaza was a significant step, the Israeli disengagement failed to recognize any Palestinian concerns and left many critical issues unresolved. Israel remained an occupying Power in Gaza and as such, was bound to the provisions of the Fourth Geneva Convention. It was time to reverse the human suffering caused by many years of occupation and continual Israeli assaults, and grant the Palestinian people their right to live in freedom, dignity, and peace.

39. **Mr. Southcott** (Australia) said that the new Human Rights Council would have to deal with the most pressing of human-rights challenges, namely bringing to account Governments that did not respect the human rights of their people.

40. His Government welcomed the signing of the historic agreement to end hostilities between the Government of Indonesia and the Free Aceh Movement, and encouraged the Indonesian Government to ensure freedom of worship as permitted under Indonesian law and to prosecute those who committed violence against people of faith. His Government was also encouraged by the agreement with Timor-Leste to establish a truth and friendship commission on past human-rights abuses.

41. His Government was pleased that China appeared to be increasingly aware of the need to improve its human-rights practices and urged it to press ahead with reform, including in relation to the death penalty and reform of the re-education-through-labour system. China was urged to allow its citizens greater freedom of expression, association, assembly and faith. China was also urged to ratify the International Covenant on Civil and Political Rights as soon as possible.

42. Australia welcomed Israel's withdrawal from Gaza, following which the Palestinian Authority must continue to reject violence and control terrorist activities. Australia urged all sides to sustain their efforts towards a two-State solution involving an independent, democratic and viable Palestinian State which respected Israel's security and right to exist.

43. The Iraqis had demonstrated once again their great courage and determination to take control of their country's future by turning out for the constitutional referendum in large numbers and by voting in the face of intimidation by a small but violent minority. Australia was impressed by their achievements but also condemned the continuing terrorist attacks.

44. Australia was pleased that Afghanistan was making progress towards becoming a viable democratic State and that the King of Nepal had called for general elections to be held by 2007. In the Sudan, there had been some encouraging developments, but the Government of National Unity must rein in pro-government militias and prosecute those responsible for crimes against humanity.

45. Australia was deeply concerned about the situation in Myanmar, whose Government had failed to ensure that basic standards of human rights were being met, in accordance with its international obligations. Australia strongly urged the Government to commit to a peaceful and inclusive democratic transition and national reconciliation.

46. Australia urged the Democratic People's Republic of Korea to reconsider its decision to end the in-country humanitarian operations of multilateral organizations by the end of 2005. It was particularly concerned about the arbitrary detention and execution of political prisoners and the severe restrictions on the movement of people and on religious freedom. The People's Democratic Republic of Korea must provide access to the country by the Special Rapporteur.

47. Australia considered that electing countries like Zimbabwe to the Commission on Human Rights diminished its credibility. Australia continued to condemn Zimbabwe's systematic use of State-sponsored violence, intimidation and harassment, anti-democratic legislation and the use of food as a political tool.

48. With regard to the Islamic Republic of Iran, Australia remained concerned about the ongoing suppression of freedom of expression, discrimination against women and minority groups, and deficiencies in the administration of justice. It was particularly alarmed at the execution of minors, including for "morality crimes". The comment by the Iranian

President that Israel should be "wiped off the map" was completely unacceptable and in contravention of the Charter.

49. **Mr. Mavroyiannis** (Cyprus) said that his Government supported the decision to strengthen and broaden the mandate of OHCHR and to establish an action-oriented Human Rights Council.

50. Ever since Turkey's invasion of Cyprus in 1974, nearly one third of the island's population had been illegally and arbitrarily deprived of their property rights and forcibly displaced from their ancestral homes. The obligations of Turkey had been clearly affirmed by a series of rulings of the European Court of Human Rights. Moreover, the Principles on Housing and Property Restitution for Refugees and Displaced Persons recently adopted by the Sub-Commission on the Promotion and Protection of Human Rights clearly outlined the framework within which cases of displacement such as those that had occurred in Cyprus were to be resolved.

51. The continuing occupation of the northern part of Cyprus affected not only those who had been forcibly expelled from their homes but also those who remained. Turkey continued to violate such rights as freedom of thought, expression and religion, the right to education, the right to peaceful enjoyment of one's property and the right to respect for one's private life. Cyprus was also gravely concerned about the unwillingness of the Turkish authorities to investigate the fate of Greek Cypriot missing persons.

52. Any definitive solution to the persistent violations of human rights in Cyprus would have to include a termination of the artificial partition of the island, which had been imposed along ethnic lines and in full contradiction of the island's traditionally multi-ethnic character and of the will of the Cypriot people.

53. **Mr. Siv** (United States of America) said that, despite positive developments in Iraq, Afghanistan and Indonesia, and in the West Bank and Gaza, elsewhere the struggle for freedom continued to encounter roadblocks.

54. The Iranian Government continued to deprive its people of freedom through summary executions, disappearances, torture and restricted freedom of speech, assembly and religion. The imprisonment of activist Akbar Ganji solely for his advocacy of a representative and accountable government was a serious violation of human rights and the 2005 presidential election, in which the un-elected Guardian Council of Clerics had decided who could run, had failed to meet international standards. Women and minorities, including non-Muslims such as the Baha'i, continued to face cruel discrimination. The United States therefore urged the Committee to pass a strong resolution on that deplorable situation.

55. The regime in the Democratic People's Republic of Korea remained one of the most oppressive in the world, denying its citizens the most basic freedoms of religion, conscience, speech, assembly and association. Prisoners were tortured, starved and ultimately executed. It was impossible to change the Government through elections. Again, the United States urged the Committee to pass a resolution addressing the human-rights situation in that country.

56. The human-rights situation in Turkmenistan remained extremely poor. Freedom of assembly, speech and the press was non-existent and political opposition was strictly prohibited. The President ruled by decree and none of the other government bodies had any real authority. The United States sought the support of Committee members for its draft resolution addressing that situation.

57. With respect to nearby Uzbekistan, there must be an independent, international investigation of the reported shootings in Andijan and the accused must be tried openly and fairly. He urged the Committee to adopt a draft resolution expressing concern about Andijan. The United States was also deeply concerned about the harassment of journalists and non-governmental groups and called upon the Government to stop its repression. It urged Tashkent to encourage freedom for all religious groups.

58. The junta in Rangoon had become one of the world's greatest human-rights violators. Over 1,000 political and religious prisoners were in detention and Aung San Suu Kyi remained cut off from the rest of the world. If unaddressed, the repression could have implications for regional stability. The Committee could help express the concern of the international community by passing a strong draft resolution addressing that situation.

59. With respect to the Democratic Republic of the Congo, the Committee should support efforts to bring about effective governance, respect for human rights

and the rule of law, including the forthcoming constitutional referendum and general elections.

60. The United States was appalled by the continued violence in Darfur, southern Sudan, and the grave humanitarian needs of over two million people displaced as a result of genocide and ongoing conflict. Government security forces were responsible for extrajudicial killings, disappearances, arbitrary arrest, torture and rape and often acted with impunity. The Government of National Unity was urged to build upon the Comprehensive Peace Agreement and improve its human-rights record throughout the country by establishing accountability for atrocities, especially those committed against women in camps for internally displaced persons. The United States urged all parties to end the violence in Darfur and reach a political settlement that would enable internally displaced persons and refugees to return safely.

61. The President of Belarus had created a dictatorship in the heart of Europe. The Government denied its citizens their human rights, and new legal measures monopolized information and obstructed political opposition and democratization. The 2004 referendum that had allowed the President to seek a third term did not meet international standards. The United States called upon Belarus to reverse its current course.

62. Cuba had failed to take steps that would guarantee its own people human rights. Instead, it had persisted in imposing a totalitarian state that deprived the Cuban people of the right to express dissent and of a voice in any kind of possible political and economic reform.

63. Despite certain improvements, China's human-rights record remained poor. The Government continued to harass citizens for their religious beliefs and remained intolerant of those wishing to express independent political and social views. The flow of information was severely limited. The use of counter-terrorist measures to repress minorities such as the Muslim Uighurs was also a source of deep concern. The United States sought to engage with China to improve its record.

64. The human-rights record of the Syrian Arab Republic had worsened owing to the increasing number of arbitrary arrests and detentions. Some of the "Damascus Spring" reformers arrested in 2001 remained in detention and security forces continued to torture, arbitrarily arrest and detain dissidents.

65. Zimbabwe continued to violate the most basic rights of its citizens, most recently uprooting hundreds of thousands of the country's poorest by bulldozing their homes. It continued to undermine any democratic reform by severely repressing opposition parties in view of upcoming elections.

66. It was not enough to condemn human-rights violations. States also needed to support young democracies by making the best possible use of United Nations human-rights mechanisms and making larger contributions to the new United Nations Democracy Fund. The extraordinary developments in Georgia, Ukraine and Kyrgyzstan had shown that, although freedom was threatened in some parts of the world, it had asserted itself in others.

67. **Mr. Requeijo Gual** (Cuba) said that those who continued to attack the human-rights record of Cuba and other countries of the South had not adopted a universal, non-selective approach and that their allegations were frequently based on current geopolitical interests. His Government reiterated the overriding importance of respect for national sovereignty and self-determination as well as for cultural, religious, political, economic and social diversity. The frequently documented examples of double standards and hypocrisy shown by the European Union and the United States on human rights would not lead to genuine cooperation.

68. In the European Union, for example, prostitution was widespread and racism, racial discrimination and xenophobia had increased. The European Union portrayed mercenaries seeking to undermine Cuba's right to self-determination, as human-rights defenders. Meanwhile, for two successive years it had prevented the adoption of a draft resolution calling for an investigation into scandalous cases of torture and abuse at the illegal United States naval base at Guantánamo.

69. The statement by the delegation of the United States was another example of cynicism and political amnesia whereby the main violator of all human rights, a country which did not recognize the right to development or health, presented itself as the champion of human rights. It was the United States that had supported Batista's bloody dictatorship, conspired with other Latin-American dictatorships in the disappearance of thousands of human-rights defenders,

defended and armed the apartheid regime in South Africa, massacred millions of Vietnamese, employed coercive and unilateral measures contrary to international law, and interfered in the democratic processes of those Governments it disliked.

70. The United States was a model for political abuse and racial discrimination; its prisons were disproportionately overcrowded with African-American and Latin-American inmates; it did not regard torture as a federal crime and applied the death penalty at record levels, with no allowance for minors or the mentally ill; and its political life was tainted by electoral fraud and corruption. While the United States claimed to be a paragon of the rule of law and had declared war on terrorism, it nevertheless sheltered known terrorists, such as Luis Posada Carriles and Orlando Bosch, financing scandalous Presidential pardons for such terrorists and preventing them from being brought to justice.

71. Freedom and democracy were not exclusive to the countries of the North, which had not been authorized to judge and determine the political and social organization of other equally sovereign nations. The manipulation of international cooperation in the area of human rights was an insuperable obstacle to the realization of all the rights of Cuba's people and it transformed the international debate on human rights into an instrument of domination.

72. The reform of the Commission on Human Rights must put an end to such behaviour. The crisis in the Commission had arisen because of the political manipulation, selectivity, politicization, double standard, blackmail and hypocrisy practised by a group of developed countries whose sole objective had been the imposition of their own political interests. It seemed very likely that the future Human Rights Council would inherit the same problems. To change the state of the world it was necessary to change the current unfair, unequal and unipolar international order.

73. **Mr. Matsis** (Greece) said that as long as a large section of Cyprus remained under the effective control of the Turkish armed forces it would not be possible to implement the resolutions of the United Nations or the judgements of the European Court of Human Rights on Cyprus. The military invasion and occupation of Cyprus by Turkey had resulted in persistent violations of human rights. In 2001, the European Court of Human Rights had found Turkey responsible for numerous violations of the European Convention on Human Rights with respect to the enclaved Greek-Cypriots in the northern part of Cyprus. Turkey must rectify that situation.

74. The occupation forces had displaced nearly one third of the island's population from their ancestral homes, denying them the right to return. Furthermore, in a sustained effort to change the demographic balance of the island, over 120,000 settlers from mainland Turkey had been illegally transferred to the occupied part of the island since 1974. Systematic acts had also been carried out against the island's cultural heritage, including the destruction of more than 500 Greek Orthodox churches. Despite the efforts of the Government of Cyprus and recent positive developments, the fate of many missing persons remained unresolved. His delegation hoped that the Government of Turkey would engage constructively in order to resolve that problem.

75. His delegation had taken note that Turkey was undertaking comprehensive reforms to bring its human-rights legislation into line with international norms. He hoped that those reforms would be successful, leading to an improved human-rights situation in Cyprus. The accession of Cyprus to the European Union had created a favourable environment for a just and viable settlement. The sustainable reconciliation and reunification of Cyprus should be based not only on the relevant Security Council resolutions and efforts of the Secretary-General but also on the European Union Community *acquis* and European Union principles. In that regard, he noted that the negotiating framework for Turkey's accession to the European Union was based, inter alia, on compliance by Turkey with the rule of law and respect for human rights.

76. **Mr. Kruljević** (Serbia and Montenegro) said that Serbia and Montenegro had made enormous efforts to improve human rights and he profoundly regretted that the United Nations was partly to blame for the lack of basic human rights in the province of Kosovo and Metohija. Six years after the United Nations Interim Administration Mission in Kosovo (UNMIK) had assumed responsibility for the province, members of the minority Serbian and Roma communities were frequently victims of inter-ethnic violence that often went unreported and unpunished. Security and freedom of movement in the province remained precarious, impeding the exercise of economic and social rights.

Property rights were also not respected and there was widespread occupation of land and illegal construction with virtual impunity. Kosovo Serbs and other minorities were struggling to preserve their languages, as well as their cultural and religious heritage.

77. There could be no peace, security or development without human rights, and only by ensuring the human rights of all inhabitants in Kosovo and Metohija would it be possible to attain stability, multi-ethnicity and prosperity in the province. UNMIK and the provisional institutions of self-government had a clear responsibility in that regard.

78. **Ms. Bachchan** (India) said that the direct relationship between development and enjoyment of human rights was undeniable, as was the linkage between freedom and human rights. As a signatory to nearly all the major human-rights instruments, India had consistently promoted civil and political rights as well as economic, social and cultural rights.

79. Without a favourable international economic and financial environment and the fulfilment of human-rights obligations everywhere, universal adherence to human-rights standards would remain an elusive goal. The strengthening and building of national capacities should be at the centre of international efforts to promote human rights.

80. An approach based on dialogue and consultation was desirable for securing an improvement in human rights. India did not favour intrusive monitoring and finger pointing when dealing with specific human-rights situations in various countries. Moreover, a distinction must always be made between a democratic country that was responsive and an inherently repressive country that was unable or unwilling to improve. The rule of law and democracy were essential for promoting human rights. Democracy, development and respect for human rights were mutually reinforcing values which provided the foundation for a holistic conception of human rights.

81. The democratic way of life was a deeply rooted article of faith for over a billion Indians whose nation had a democratic, pluralistic and secular society, an autonomous and impartial judiciary, a vibrant civil society, a free media and independent human-rights institutions. Those elements helped to guarantee the protection and promotion of human rights. The recent enactment by Parliament of a rural-employment-guarantee programme was a step towards the justiciability of economic and social rights, and the recent adoption of a law on freedom of information aimed to promote openness, transparency and accountability in all government departments.

82. Proposals for greater country engagement by OHCHR should focus on national capacity-building through the provision of technical assistance and advisory services. The Office should not give the impression of intrusiveness to the country concerned, and special procedures should have limited mandates and avoid overlap. Her delegation would also welcome early action on the treaty-body reform initiated by OHCHR.

83. Terrorism had emerged as one of the main threats to democracy and human rights, including the right to life. The notion that human rights could be violated only by States was misleading and dangerous. States were responsible for the security of their people, but they must also be mindful of their responsibility to protect human rights. The challenge was to strike the right balance between tackling terrorism and observing international law and human-rights standards.

84. With regard to setting up a Human Rights Council, the international community should not lose sight of the principle of universality. The new Council should be non-discriminatory to avoid the shortcomings of the Commission on Human Rights, and the task of setting it up should be completed during the current session of the General Assembly.

85. **Mr. Akram** (Pakistan) said that, for the human-rights mechanisms of the United Nations to be credible, they had to be operated in a non-discriminatory and objective manner, without selectivity or political motivation. That was not yet the case. The reports of the Special Rapporteurs had shown an apparent lack of sensitivity to cultural diversity and respect for religious belief. Some of them resembled charge sheets against the countries visited; some contained unsubstantiated allegations made by political opponents. A cooperative and problem-solving approach was the best way of defending victims.

86. He encouraged the Special Rapporteur on the protection of human rights while countering terrorism to adopt a comprehensive, long-term strategy to address the root causes of terrorism. Those causes included poverty and denial of economic, social and political justice, especially the right to self-determination. On the question of human-rights

defenders, a code of conduct was needed to define their role, which should not be geared to a specific political or social agenda.

87. The new Human Rights Council should work for the promotion and protection of all human rights in a cooperative manner, while adopting a proactive approach to situations of armed conflict and foreign occupation. His delegation supported the proposal that the Council be empowered to dispatch fact-finding missions to investigate such situations.

88. He supported the promotion by the High Commissioner for Human Rights of a thematic rights-based approach and said that her Plan of Action should outline concrete goals and practical steps to combat poverty, discrimination and violence, especially in situations of armed conflict. The High Commissioner's Office needed to be more proactive in developing a legally binding instrument on the right to development, which was central to the new approach for the protection of human rights. The Office should be accountable to the Human Rights Council for budgetary and financial matters; it should maintain equitable geographical distribution; and its use of voluntary funding should be phased out in favour of a regular budget enhanced by additional funding.

89. **Mr. Diallo** (Mali) said that, following Mali's appeal for solidarity in surmounting the impending food crisis, the Government had adopted a national strategy for food security, appointed a commissioner, set up committees, drawn up plans and created a national cereal bank. Thousands of tons of cereals had been distributed free to the most affected areas, and other measures had been taken to assist vulnerable groups.

90. Just as all those measures had been made possible by the support of Mali's partners, so the Millennium Development Goals required a global partnership for development, as stipulated in Goal 8. Agriculture in Mali also needed to be protected against the uncertainties of climate, in particular through mechanization and the improvement of farming practices. With the help of its partners, it was endeavouring to take the necessary measures, including the drafting of a law on agriculture.

91. **Mr. Laurin** (Canada) welcomed the opportunity to look at the state of protection of human rights in the world and to underscore the linkages between human rights, humanitarian issues, development and security. He noted that there were many instances where Member States fell short of their obligations. In Turkmenistan and Uzbekistan, arbitrary arrest, detention and torture were common; in the Democratic People's Republic of Korea, which was closed to independent scrutiny, lack of respect for human rights was endemic; in Syria, detainees continued to suffer physical abuse, including torture; in Nepal, there had been an increase in human-rights violations, including torture, arbitrary arrest, extrajudicial killings and disappearances; in the Islamic Republic of Iran, repression of political dissent had increased and executions, including executions of children, without internationally recognized safeguards, continued, as did torture and discrimination against women and minorities, practised with impunity. Pointing out that Iran had not complied with past United Nations resolutions on its human-rights situation, he said that Canada had for the third consecutive year drafted a resolution on the subject. He called for the support of the international community in pushing for change in that country. In Cambodia, steps had recently been taken to limit political opposition and freedom of expression; in Zimbabwe, there was widespread disdain for human rights and continued restrictions on freedom of speech, association and the press; in Burma, fundamental freedoms continued to be trampled on and minorities were plundered by the army, which systematically used forced labour.

92. **Ms. Thidar Myo** (Myanmar), speaking on a point of order, said that her country's official name was Myanmar.

93. **Mr. Laurin** (Canada) said that he would continue to call it Burma so long as its name had not been changed by a democratically elected government.

94. **Ms. Thidar Myo** (Myanmar) said that she regretted having to resort to a point of order to demand that the name used to refer to her country be that officially recognized by the United Nations.

95. **Mr. Laurin** (Canada) said that in Pakistan, despite recent reforms, human rights continued to be violated through religious discrimination, child labour, blasphemy laws and flouting of the rights of minorities and women. He noted China's efforts to develop its legal system; severe restrictions on freedom of expression and association should therefore be lifted in accordance with the rule of law, which also required the cessation of extrajudicial measures such as

re-education through labour. He welcomed steps taken to improve human rights in Burundi and Georgia. Regarding Uganda, he called on the Government to improve the security and living conditions of internally displaced persons and, together with the Lord's Resistance Army, to put an end to the conflict. He likewise called for continued efforts towards a just and peaceful solution to the conflict in the Sudan, where increased violence had hindered the delivery of international humanitarian assistance. Regarding India and Pakistan, the Governments were to be commended for allowing humanitarian workers access to the tsunami- and earthquake-affected areas, and also for taking measures against human trafficking and illegal adoptions.

96. Impunity was a central concern, since human-rights violations would continue so long as it persisted. Ivory Coast, where killings of civilians remained unpunished, thus failed in its international human-rights obligations. Afghanistan, too, while it had taken significant steps to promote human rights and establish the rule of law, still allowed impunity for perpetrators of acts of violence. In Sierra Leone, while human-rights concerns remained, the Special Court had made progress, but was impeded by lack of funding.

97. Canada was aware of its own shortcomings, which it was working to address in an open and transparent fashion. It cooperated fully with the United Nations special mechanisms and was committed to ensuring that multilateral human-rights bodies were strengthened. It thus looked forward to contributing to the operation of the new Human Rights Council.

98. **Mr. Alaei** (Islamic Republic of Iran) said that agenda item 71 (c) tended to be used as a means of fault-finding rather than as a tool to promote human rights through understanding, cooperation and dialogue. Canada had criticized Iran for its human-rights record and had submitted a draft resolution to that effect. His country was not perfect in that regard, but nor was Canada.

99. He quoted passages from a statement of the Working Group on Arbitrary Detention of June 2005, a report of the Committee against Torture of July 2005, a report of the Special Rapporteur on indigenous peoples of December 2004 and a report of the Human Rights Committee. All those passages were evidence of Canada's human-rights violations and raised the question whether the Third Committee should consider adopting a draft resolution on the subject. He was certain that it would not do so, because of political considerations.

The meeting rose at 12.35 p.m.

United Nations A/C.3/60/SR.33

General Assembly
Sixtieth session

Official Records

Distr.: General
16 November 2005

Original: English

Third Committee

Summary record of the 33rd meeting
Held at Headquarters, New York, on Wednesday, 2 November 2005, at 2.30 p.m.

Chairman: Ms. Carvalho (Vice-Chairman) ..... (Portugal)

Contents

Agenda item 71: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Agenda item 61: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*)

Agenda item 106: Crime prevention and criminal justice (*continued*)

Agenda item 107: International drug control (*continued*)

Agenda item 64: Advancement of women (*continued*)

Agenda item 71: Human rights questions (*continued*)*

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)*

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*)*

(e) Report of the United Nations High Commissioner for Human Rights (*continued*)*

* Items which the Committee has decided to consider together.

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-58343 (E)

In the absence of Mr. Butagira (Uganda), Ms. Carvalho (Portugal), Vice-Chairman, took the Chair.

The meeting was called to order at 2.40 p.m.

Agenda item 71: Human rights questions (*continued*)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*)

Draft resolution A/C.3/60/L.28: Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities

1. **Ms. Feller** (Mexico), introducing the draft resolution on behalf of the sponsors, said that the purpose of the draft resolution was to renew the mandate of the Ad Hoc Committee and establish the general framework of the continuation of its work. The Ad Hoc Committee had made important progress in the past year, having concluded a complete reading of the draft convention prepared by its Working Group, in a very positive environment that had been enriched by the broad participation of civil society. On the basis of negotiations, the Chairman of the Ad Hoc Committee had elaborated a draft text designed to bridge the differences expressed in relation to individual draft articles. Her delegation welcomed the timely presentation of the draft, which would be the basis for future negotiations.

2. The coming year would be key for the work of the Ad Hoc Committee, and it was crucial to maintain the continuity and momentum that had characterized negotiations thus far. The sponsors therefore believed that all concerned stakeholders should be invited to continue to participate actively and constructively in the Ad Hoc Committee with the aim of concluding a draft convention and submitting it to the General Assembly at its sixty-first session (para. 3) and that the Ad Hoc Committee should hold two sessions in 2006 (para. 4). While the sponsors were conscious that such a level of engagement would require an important effort and resources by the stakeholders, they considered that such an effort would prove more efficient and give better results in the medium and long terms. The Ad Hoc Committee must also not forget its main goal, which was to achieve a high-quality convention that established the measures needed to guarantee the full enjoyment of all human rights for all persons with disabilities and their equal opportunities in all spheres of life.

3. Given the urgent need to make the necessary arrangements for the Ad Hoc Committee's next session in January, she hoped that the draft resolution would be adopted without a vote as early as possible. Lastly, she said that, in the third preambular paragraph, the words "universality, indivisibility and interdependence" should be replaced by "universality, indivisibility, interdependence and interrelatedness", and announced that Croatia, Grenada, Panama, Thailand, the former Yugoslav Republic of Macedonia and Turkey had joined in sponsoring the draft resolution.

4. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Angola, Bangladesh, Benin, Bolivia, Botswana, Cameroon, the Congo, Eritrea, Guinea, Honduras, Jamaica, Kyrgyzstan, Mongolia, Nigeria and Senegal.

Agenda item 61: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly (*continued*)

Draft resolution A/C.3/60/L.5/Rev.1: Implementation of the outcome of the World Summit for Social Development and of the twenty-fourth special session of the General Assembly

5. **The Chairman** said that the revised draft resolution contained no programme budget implications and invited the Committee to take action on it.

6. **Ms. Bowen** (Jamaica), speaking on behalf of the sponsors, said that Austria, Croatia, Finland, France, Norway, San Marino, Slovakia and Sweden had joined in sponsoring the revised draft resolution. Announcing a minor oral revision to the text, she said that paragraphs 13 and 15 had been combined and the word "and" added before "underlines" to make a new paragraph 13. The subsequent paragraphs had been renumbered accordingly. On behalf of the Group of 77 and China, she thanked all delegations for their cooperation and constructive spirit when negotiating the revised draft, which she hoped would be adopted by consensus.

7. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Andorra, Armenia, Bulgaria, Canada, Estonia, Germany, Greece, Honduras, Iceland, Kazakhstan, Kyrgyzstan, Latvia, Liberia, Portugal, Spain, the former Yugoslav Republic of Macedonia and Ukraine.

8. *Draft resolution A/C.3/60/L.5/Rev.1, as orally revised, was adopted.*

9. **Ms. García-Matos** (Bolivarian Republic of Venezuela), explaining her delegation's position on the draft resolution, said that, as far as her delegation was concerned, the reference in the third preambular paragraph to "the commitments made at the 2005 World Summit" did not refer in any way to the 2005 World Summit Outcome (resolution 60/1) which, as it had stated on previous occasions, her delegation considered to be a mere working paper with no mandate whatsoever for her country.

10. **Ms. Shestack** (United States of America), explaining her delegation's position on the draft resolution and drawing attention to the reference to the need to take concrete actions on corporate responsibility and accountability, including for the prevention or prosecution of corruption (para. 17), said that, while her Government saw corruption as a tremendous challenge to democracy, it wished to emphasize that, where there was a need for setting standards of corporate social responsibility or for law enforcement, it was the responsibility of Governments to enforce corruption laws. Initiatives to promote corporate social responsibility should be voluntary. As for paragraph 15, her Government wished to reiterate that it did not favour financial mechanisms that would involve taxes on air travel or other forms of global taxation.

Agenda item 106: Crime prevention and criminal justice (*continued*)

Draft resolution A/C.3/60/L.8/Rev.1: Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

11. **Mr. Khane** (Secretary of the Committee) said that, in the eighth preambular paragraph, the phrase "resolution 60/1 of 16 September 2005" should be replaced by "resolution 60/___" with the understanding that it referred to draft resolution A/C.3/60/L.11/Rev.1, which had been adopted by the Committee on 21 October 2005 and would be numbered when adopted by the General Assembly.

12. Turning to the programme budget implications of the revised draft resolution and referring the Committee to paragraphs 8, 9, 18 and 19 of the text, he said that the Committee would recall that the General Assembly had appropriated $10,040,200 under section 16, Crime prevention and criminal justice, and $21,476,100 under section 17, International drug control, or a total of $31,516,300 for the United Nations Office on Drugs and Crime (UNODC) for 2004-2005. For 2006-2007, the Secretary-General proposed a programme budget totalling $33,043,800 under section 16, International drug control, crime prevention and criminal justice. Adoption of the draft resolution would not therefore entail any additional appropriation. He also drew the Committee's attention to section VI of General Assembly resolution 45/248 B of 21 December 1990, which reaffirmed that the Fifth Committee was the appropriate Main Committee of the General Assembly entrusted with responsibilities for administrative and budgetary matters and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions.

13. **Mr. Cavallari** (Italy), speaking on behalf of the sponsors, said that Afghanistan, Armenia, Bolivia, Canada, Cuba, Guinea, Iceland, Jordan, Kazakhstan, Liechtenstein, the Philippines and Viet Nam had joined in sponsoring draft resolution A/C.3/60/L.8/Rev.1. On the basis of suggestions made during informal consultations, a number of changes had been made to the text in response to, inter alia, the adoption of the Bangkok Declaration at the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, the need to address technical assistance in a comprehensive and balanced manner, the need to provide UNODC with sufficient resources for the full implementation of its mandates and the importance of ratifying legal instruments. In keeping with tradition, the revised draft resolution was a product of the whole membership.

14. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Algeria, Angola, Benin, Bulgaria, Burkina Faso, Burundi, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, the Gambia, Haiti, Indonesia, Mali, Mozambique, the Niger, the

Republic of Moldova, Saint Vincent and the Grenadines, Uganda, the United States of America and Uruguay.

15. *Draft resolution A/C.3/60/L.8/Rev.1, as orally corrected, was adopted.*

16. **Ms. García-Matos** (Bolivarian Republic of Venezuela), explaining her delegation's position on the draft resolution, said that her Government attached great importance to strengthening the United Nations Crime Prevention and Criminal Justice Programme, as demonstrated by the fact that it had signed and ratified the United Nations Convention against Transnational Organized Crime and its Protocols, had recently promulgated a law against organized crime and was actively combating all forms of organized crime, particularly human trafficking and corruption. For that reason, her delegation had always joined in the consensus on the draft resolution. However, her delegation wished to express its reservations concerning the reference in the fourth preambular paragraph to the High-level Plenary Meeting of the General Assembly held in September 2005 and the corresponding footnote, which referred the reader to the 2005 World Summit Outcome. For reasons that she had already outlined, her delegation was not therefore able to sponsor the draft resolution.

17. **The Chairman** suggested that, in accordance with General Assembly decision 55/488, the Committee should take note of the report of the Secretary-General on preventing and combating corrupt practices and transfer of assets of illicit origin and returning such assets to the countries of origin (A/60/157) and the report of the Secretary-General on the Eleventh United Nations Congress on Crime Prevention and Criminal Justice (A/60/172).

18. *It was so decided.*

Agenda item 107: International drug control (*continued*)

Draft resolution A/C.3/60/L.27: Providing support to Afghanistan with a view to ensuring effective implementation of its Counter-Narcotic Implementation Plan

19. **The Chairman** said that the draft resolution contained no programme budget implications and invited the Committee to take action on it.

20. *Draft resolution A/C.3/60/L.27 was adopted.*

Agenda item 64: Advancement of women (*continued*)

Draft resolution A/C.3/60/L.13/Rev.1: United Nations Development Fund for Women

21. **The Chairman** said that the revised draft resolution contained no programme budget implications.

22. **Mr. Hyassat** (Jordan), speaking on behalf of the sponsors, said that Angola, Argentina, Chile, the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Ethiopia, Japan, Nigeria, Rwanda, Switzerland and the United Republic of Tanzania had joined in sponsoring the draft resolution. The widespread support for the revised draft, which was the result of informal consultations, demonstrated the international community's recognition of the important role played by the United Nations Development Fund for Women (UNIFEM). He hoped that the draft resolution would be adopted by consensus.

23. **Mr. Khane** (Secretary of the Committee) announced that the following countries had also joined in sponsoring the draft resolution: Andorra, Australia, Barbados, Benin, Bulgaria, Burundi, Cambodia, Cameroon, Cape Verde, Eritrea, Estonia, Grenada, Guinea, Guyana, Honduras, Iceland, Indonesia, Kyrgyzstan, Liberia, Madagascar, Malawi, Malaysia, Mauritania, Qatar, the Republic of Korea, Saint Vincent and the Grenadines, Sierra Leone, Togo, Turkey and Uruguay.

24. *Draft resolution A/C.3/60/L.13/Rev.1 was adopted.*

25. **Ms. Shestack** (United States of America) said that her delegation was pleased to join the consensus on the draft resolution with the following explanation of position. In connection with the second and third preambular paragraphs, which reaffirmed the Beijing Platform for Action and welcomed the declaration adopted at the forty-ninth session of the Commission on the Status of Women, she reiterated that the United States was firmly committed to the empowerment of women and the promotion of their enjoyment of universal human rights and fundamental freedoms and had devoted substantial resources to that end. However, while the Beijing Declaration and Platform for Action expressed important political goals that the United States endorsed, they did not create international legal rights or legally binding obligations on States under international law. Moreover, there had been an

international consensus at the forty-ninth session of the Commission that the Beijing documents created no new international rights, including a right to abortion. Reaffirmation by the United States of the goals, objectives and commitments of those documents did not constitute a change in its position with respect to treaties it had not ratified. The United States fully supported the principle of voluntary choice regarding maternal and child health and family planning. It had stated clearly and on many occasions, consistent with the International Conference on Population and Development, that it did not recognize abortion as a method of family planning or support abortion in its reproductive health assistance. The United States understood that there was an international consensus that the terms "reproductive health services" and "reproductive rights" did not include abortion or constitute support, endorsement or promotion of abortion or the use of abortifacients. The United States supported the treatment of women who suffered injuries or illnesses caused by legal or illegal abortion, including post-abortion care, and did not place such treatment among abortion-related services.

26. Turning to the seventh preambular paragraph, which noted that the number of States parties to the Convention on the Elimination of All Forms of Discrimination against Women was among the highest for human rights conventions, she said that the United States firmly maintained its belief in the sovereign authority of States to make any and all decisions about treaty ratifications.

27. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that she would appreciate it if anyone wishing to refer to her country would use its proper name: the Bolivarian Republic of Venezuela. Explaining her delegation's position on the draft resolution, she said that it reiterated its firm commitment to support UNIFEM initiatives aimed at providing assistance to activities that benefited women directly, incorporating women's issues into the main activities of both Governments and international organizations. However, it wished to express its reservations concerning the fourth preambular paragraph, not because of the commitment to promote gender equality and empowerment of women, but because of the explicit reference to the 2005 World Summit Outcome (A/60/L.1), which her delegation considered to be a mere working paper with no mandate whatsoever for her country.

28. **Mr. Murillo Carrasco** (Bolivia) said that Bolivia also wished to sponsor the draft resolution.

29. **Mr. Begg** (New Zealand) said that his delegation wished to make a short statement concerning the use of QuickPlace to notify delegations of upcoming action. The previous evening, there had been four separate and conflicting messages on QuickPlace, causing confusion in his delegation as to the draft resolutions on which it should be seeking instructions for today's meeting. Though the conflicting information had been relatively minor in the current instance, his delegation was concerned that the problem should become much more serious once the Committee moved into the busier half of the session. He therefore proposed that final notification of draft resolutions for action the following day should be issued no later than 5 p.m. and that messages disseminated by Bureau members to their regional groups and through QuickPlace should be consistent. He would appreciate it if the matter could be raised at the next Bureau meeting.

Agenda item 71: Human rights questions (*continued*) (A/60/40, 44, 129, 336, 392 and 408)

(b) Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms (*continued*) (A/60/134, 266, 272, 286, 299, 301 and Add.1, 305*, 321, 326, 333, 338 and Corr.1, 339 and Corr.1, 340, 348, 350, 353, 357, 374, 384, 392, 399 and 431; A/C.3/60/3 and 5)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/60/221, 271, 306, 324, 349, 354, 356, 359, 367, 370, 395 and 422 and Corr.1; A/C.3/60/2)

(e) Report of the United Nations High Commissioner for Human Rights (*continued*) (A/60/36 and 343)

30. **Mrs. Enkhtsetseg** (Mongolia) said that her delegation agreed with the United Nations High Commissioner for Human Rights that the central challenge currently was to translate human rights obligations into reality by bridging the implementation gaps at the national level. As a State party to over 30 international human rights treaties and conventions, Mongolia was committed to the promotion and protection of all human rights and had, since the

adoption of its Constitution in 1992, been actively involved in overhauling its legislation, including the Criminal Code and Civil Code, to bring it in line with international standards.

31. In August 2005, the National Human Rights Commission of Mongolia, established in 2001 in accordance with the Paris Principles, had hosted the Tenth Annual Meeting of the Asia Pacific Forum of National Human Rights Institutions. The participants had agreed, inter alia, to set up a working group to develop draft guidelines designed to strengthen the application of the Paris Principles in the Asia-Pacific region.

32. The National Human Rights Action Programme had been adopted in 2003 with a view to improving the capacity and accountability of the authorities; enhancing the participation of civil society, the mass media and the private sector; as well as encouraging public motivation for strengthening human rights protection and combating human rights violations.

33. Despite the political commitment to the protection and promotion of human rights in Mongolia, the country was hampered to a great extent by its knowledge gap and capacity gap. It also had to cope with emerging transborder issues, such as the spread of HIV/AIDS, human trafficking and migration, which required a collective response based on regional and international cooperation. Her delegation therefore welcomed the activities envisaged by the High Commissioner to enhance country engagement and develop effective partnerships to help ensure protection and promotion of human rights at the national level.

34. The implementation of human rights was contingent upon a sound monitoring system, and the revised draft harmonized guidelines on reporting under the international human rights treaties were an important tool for improving the reporting obligations of States parties. Her delegation was in favour of further enhancing the assistance provided by the Office of the High Commissioner to Member States in meeting their reporting obligations as well as in following up the recommendations of the relevant committees.

35. **Mr. Aydogdyev** (Turkmenistan) said that ensuring full respect for fundamental freedoms and human rights was one of the main priorities of his Government, which had adopted a number of substantive measures to that end during the past year. In October 2005, the People's Council had adopted legislation that improved the country's electoral system. Aware of the importance of protecting and respecting the human rights of refugees, the Government, by a presidential decree, had granted citizenship to more than 16,000 refugees from neighbouring countries who had been residing in Turkmenistan for a number of years.

36. As a party to the Convention on the Elimination of All Forms of Discrimination against Women, Turkmenistan consistently pursued a policy of full and equal rights of participation for women in the political, social, economic and cultural life of the country. The Women's Union of Turkmenistan had devised a national plan of action on the implementation of the Beijing Declaration and Platform for Action, designed to strengthen the social status of women and develop mechanisms of interaction between Government structures and relevant international organizations. The National Institute for Democracy and Human Rights advised various governmental agencies on Turkmenistan's international obligations arising from the various human rights conventions to which it was a party and, where applicable, forwarded individual complaints to the relevant authorities for action.

37. Earlier in the year, the National Parliament had established a committee on human rights, which took the lead in drafting legislation to enhance fundamental freedoms and rights. Other efforts to improve the human rights situation included a law prohibiting the use of child labour and a legislative act to ensure the religious rights of citizens. The Government had engaged in dialogue with the Office of the High Commissioner and worked with a team from that Office on a technical assistance programme.

38. However, the steps taken by the Government of Turkmenistan in the human rights area had not been universally acknowledged and a number of Member States had decided to initiate another draft resolution on the human rights situation in his country. His Government firmly believed that human rights could not be imposed from outside and that country-specific resolutions only undermined trust among potential partners and politicized the United Nations human rights machinery. Building a democratic society and ensuring respect for human rights was a political choice of the Government, which would welcome any support and assistance in implementing those rights. Only through dialogue, cooperation and engagement

could the cause of human rights be advanced locally and globally.

39. **Mr. Anshor** (Indonesia) said that his Government was prepared to participate in the process leading to the establishment of a more effective and less politicized Human Rights Council. His delegation had noted the plan of action of the Office of the High Commissioner for Human Rights and shared the High Commissioner's view that current challenges to human rights required a concerted response by the international community as a whole.

40. At the national level, the House of Representatives had adopted two laws to ratify the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, respectively, thereby providing an additional legal framework for the promotion and protection of human rights. All human rights were universal, indivisible and interdependent. Equal attention should therefore be given to civil and cultural rights alongside economic, social and cultural rights, as well as the right to development.

41. Poverty eradication in developing countries should become the main focus of the United Nations. Although developing countries were primarily responsible for formulating their national strategic development plans, developed countries had the responsibility, as global partners, to ensure a favourable international environment for the advancement of human rights, security and development in developing countries. Believing that the right to development promoted social justice and the enjoyment of human rights and fundamental freedoms, his Government expected the right to development to be a priority issue of the future Human Rights Council. Promoting that right as an integral part of the Council's agenda would ensure that all stakeholders enjoyed the right to development.

42. **Mr. Alday** (Mexico) said that his country had been conducting an active human rights policy and had recently ratified the Optional Protocol to the Convention against Torture and the Rome Statute of the International Criminal Court. As stated in the World Summit Outcome, the protection of human rights constituted a basic value for all Member States. Consequently, every attempt should be made to ensure that human rights was given high priority in the work of the United Nations. Since 2000, Mexico had been cooperating with the Office of the High Commissioner for Human Rights and, as a result, had introduced a national human rights programme in December 2004.

43. Although recent events had confirmed that terrorism was a serious problem, the fact that States had an obligation to protect the human rights of their populations did not justify the suspension or violation of human rights of persons under their jurisdiction. Respect for human rights, far from being an obstacle, was an effective tool to combat terrorism. His delegation welcomed the decision of the Commission on Human Rights to appoint a Special Rapporteur whose mandate would be to make concrete recommendations on the promotion and protection of human rights and the adoption of measures to counter terrorism, including, at the request of States, technical assistance on such matters.

44. As to vulnerable groups, Mexico had made proposals regarding standards for the protection of migrants and persons with disabilities. His delegation planned to submit two draft resolutions on the subject at the current session of the General Assembly. It was altogether unacceptable that the human rights situation of migrants should deteriorate as a result of discrimination and exclusion. The high-level dialogue on international migration and development would provide an opportunity for the international community to examine that matter thoroughly in all its aspects.

45. **Mr. Saeed** (Sudan) stressed the need to respect cultural and religious diversity in dealing with human rights issues. Multilateral diplomacy should guide any human rights reform measures, including the mandate of the Human Rights Council, which should be objective and accountable. It was vital to respect the sovereignty of States and pay heed to violations of economic, social and cultural rights, as well as civil and political rights. The international community should adopt measures to deal with human rights violations. The right to development, food and dignity were priorities for developing countries and required adequate mechanisms to promote them, including technical cooperation. However, technical cooperation should be free of any political bias and should refrain from imposing any particular system on the receiving countries.

46. The statement by the United States representative on the situation in the Sudan was in total contradiction to the observations made by the Special Rapporteur on

the situation of human rights in the Sudan, who had spoken freely to the authorities and visited prisons in the country. The statement reflected the position of the United States, not that of the international community. The International Commission of Inquiry on Darfur had concluded that the Government of the Sudan had not pursued a policy of genocide and the United States had not objected at that time. The Government had acknowledged that there were human rights problems as a consequence of war but had showed a real political will to find a political solution and to help the displaced persons.

47. The United States was in no position to make any pronouncements on human rights violations. It should invite a commission of inquiry to visit Guantanamo Bay so that the international community could see what was happening and take adequate measures. The United States should also be held accountable for the desecration of sacred symbols in the Abu Ghraib prison in Iraq.

48. Canada was another country that was not qualified to talk about human rights violations and should put its own affairs in order before setting itself up as a judge on such matters.

49. **Mr. Kovalevsky** (Belarus) said that the promotion and protection of human rights had become one of the most important components of United Nations reform. Although such rights had become more prominent in the work of the Organization, the mechanism for defending them had remained unchanged. Belarus had long been in favour of improvements and had long warned that the Commission on Human Rights could not operate effectively or resolve topical problems, because that body was defeating the aims of its original mandate and replacing dialogue and cooperation with political considerations, a selective approach and double standards. It had fallen into a routine of adopting resolutions condemning certain countries whose human rights situations were no worse than those of others, while allowing other countries to commit serious violations without criticism.

50. Belarus was against country-specific resolutions, which destroyed the basis of international cooperation on human rights, encouraging mistrust and confrontation rather than dialogue and cooperation. Being selective and politically motivated by definition, such resolutions prevented human rights issues from being examined honestly and fairly, ignored the fact that such rights were interlinked and interdependent, and widened the division between political and civil rights, on the one hand, and economic, social and cultural rights and the right to development, on the other hand. Belarus consequently supported the view which the High Commissioner for Human Rights had expressed in her report (A/60/36) that cooperation and partnership must be given a greater role.

51. The increase in racial intolerance, xenophobia, human trafficking and action by extremist and terrorist groups, and the worsening situation of refugees and migrants, among other problems, raised human rights concerns in many countries, including those which were supposed to be developed democracies. A less individual, more integral view of human rights would encourage mutual respect and trust between countries. Belarus did not accept the criticism which some countries had levelled at it. The 2004 election and referendum had confirmed public support for the President's course of action. The presence of independent international observers was proof of the transparency of the electoral process.

52. Human rights reform in the Organization had reached a watershed and must be methodical, focusing on results rather than speed. Belarus was in favour of an open-ended General Assembly working group on the establishment of a Human Rights Council to take account of a variety of views, particularly those of small and developing States. Unless decisions were taken by consensus, Member States would not support or trust the new body, and negotiations would be protracted.

53. Belarus felt very strongly that trafficking in human beings destroyed the dignity of hundreds of thousands and had briefed the Member States on its initiative for a global partnership against slavery and human trafficking in the twenty-first century, under the auspices of the United Nations.

54. **Mr. Gaspar Martins** (Angola) said that the special procedures of the Organization's human rights machinery were important to assessing human rights objectively and ensuring that they were protected nationally and internationally. The 2005 World Summit had confirmed the need to upgrade the Commission on Human Rights: while international human rights conventions had achieved much, challenges remained. As the Commission on Human Rights Special

Rapporteur on the right to food had indicated in his presentation to the Committee, the human rights enshrined in the international conventions must be understood within a broader framework in which peace, development and human rights were mutually reinforcing. Overemphasizing some human rights at the expense of others had led to selectivity and double standards.

55. Aware that States themselves had primary responsibility for promoting and protecting human rights, Angola had embarked on reform to ensure that the content and implementation of its legislation was in line with the international human rights standards to which it was committed and had complied with its reporting obligations to the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child. Its Constitution gave international human rights conventions the force of domestic law. Believing that the achievement of the Millennium Development Goals was a foundation for the full enjoyment of all human rights, Angola had adopted a national poverty-reduction strategy.

56. The Commission on Human Rights had been criticized, sometimes rightly, for being selective, politicized and ineffective, and for duplicating some of the work of the Third Committee and treaty bodies. The 2005 World Summit had provided an opportunity, and clear guidance, for action. However, in order to succeed, the Human Rights Council and the special procedure mandate-holders must promote mutual understanding through dialogue and cooperation. The resources of the Office of the High Commissioner for Human Rights must be increased, and the change from standard-setting to implementation advocated by the High Commissioner herself deserved support.

57. **Ms. García-Matos** (Bolivarian Republic of Venezuela) said that full guarantees of human rights were the backbone of State policy and had been enshrined in the Venezuelan constitution. Her country had ratified international human rights conventions and had fulfilled its reporting obligations under those conventions. It had carried out comprehensive judicial reform, reinforced basic public services and promoted employment to eliminate poverty, hunger and social exclusion.

58. Her Government believed that States should have been given the opportunity to comment on the reports of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment and the Special Rapporteur on violence against women, its causes and consequences before their publication. While the Special Rapporteurs fulfilled an important role, they must be selected according to objective and reliable criteria and must seek dialogue and cooperation with States rather than individual and selective criticism and penalties.

59. Echoing the report of the Secretary-General on protecting human rights and fundamental freedoms while countering terrorism (A/60/374), condemning all terrorist acts and methods and expressing solidarity with the victims of terrorism, she wished to draw attention to the case of Luis Clemente Posada Carriles, a terrorist, accused hijacker and torturer who had escaped Venezuelan justice and whom the United States of America was refusing to extradite. Her Government believed that terrorism was committed not only by those who engaged in terrorist acts, but also by those who harboured terrorists. It also wished to reiterate that a clear distinction must be drawn between terrorist acts and the struggle of peoples to resist foreign occupation, establish self-determination and maintain or restore sovereignty.

60. **Mr. Belinga Eboutou** (Cameroon) said that the concept of human rights expressed at the 2005 World Summit must be translated into action. The Third Committee was debating how to forge a unanimous view of human rights, as well as a structure to promote those rights. The debate was centred on the individual as the root and focus of peace and as the beneficiary of development. The very recent General Assembly resolution on holocaust remembrance was a reminder that the international community had begun to codify human rights in the wake of the Second World War in order to prevent a repeat of that war's barbaric attacks on human beings and human dignity.

61. The Universal Declaration of Human Rights had been followed by a number of international covenants and conventions. Despite the progress made, serious human rights violations were still being committed and there was still a tendency to promote a single right or category of rights to the detriment of others and to exploit human rights for other ends. A gap had opened up between the letter and spirit of the human rights declarations and the reality of everyday life.

62. The make-up of modern society justified the focus, at the 2005 Summit, on issues such as the right

to life and the right to development. Human rights could not be asserted when people went hungry, when women lost their lives in childbirth, when many suffered the effects of lack of drinking water and illiteracy and when successive generations would suffer the same fate unless action was taken. All human rights were universal, indivisible, interrelated, interdependent and mutually reinforcing.

63. His delegation supported the proposal for a Human Rights Council, which must develop an all-encompassing view of human rights, respecting the diversity of cultures and civilizations. It called for the Office of the United Nations High Commissioner for Human Rights to be given more resources, at both central and local level, and supported the appeal of the Secretary-General, in his report on the Subregional Centre for Human Rights and Democracy in Central Africa (A/60/353), for additional funds for that Centre, whose assistance was much in demand.

64. His Government was confident that the United Nations, its Member States, NGOs and civil society could work together to recast cooperation on human rights. To that end, the world must have democratic governments committed to the rule of law and to guaranteeing respect for human rights, and continued efforts to eradicate poverty, which was the most serious threat to human dignity and to peace.

Statements made in exercise of the right of reply

65. **Mr. La** Yifan (China) said that he could deal with the remarks of the United States of America and of Australia together, since the two countries had a similar history of genocide, land seizures from indigenous populations, and discrimination against minorities and asylum-seekers. Both belittled basic rights, and often they cast the only two votes against relevant resolutions. New resemblances had been emerging, like the rolling back of civil liberties and the rise in the power of the police. Now the United States was even attempting to legalize the use of torture. China valued its constructive relationship with both countries, and felt it could afford to be candid. It looked forward to the day when the two countries would address their own, and each other's, human rights problems openly in the Committee.

66. **Mr. Aksen** (Turkey) said that the statement made by the representative of Greece was made up of false accusations and distortions. The intervention by Turkish troops in 1974 had been prompted by massacres of Turkish Cypriots. United Nations peacekeeping troops had been in Cyprus since early 1964 because at the end of 1963 Greek Cypriots had dislodged the partnership Government and taken over the country, forcing the Turkish Cypriots to live in enclaves, where they were still being subjected to many human rights violations. In 1974 Turkey had intervened as a "guarantor Power", under the 1960 Agreements, to prevent annexation of Cyprus by Greece.

67. In 2004, Turkish Cypriots had voted overwhelmingly for the Annan unification plan, while the majority of Greek Cypriots had voted against it and against partnership with the Turkish Cypriots. Since then, the situation in the island had changed for the Greek Cypriots, with Greek Cyprus's accession to the European Union, but Turkish Cypriots remained as isolated as ever, in spite of international efforts to help them and an appeal by the Secretary-General for cooperation with a view to eliminating unnecessary barriers that had the effect of isolating the Turkish Cypriots and impeding their development (S/2004/437, para. 93). On 30 May 2005 the Deputy Prime Minister and Minister for Foreign Affairs of Turkey had circulated proposals for the lifting of all restrictions on the island, as reflected in document A/59/820. He expected the international community to support the people of Turkish Cyprus.

68. **Mrs. Thandar** (Myanmar), responding to statements by the representatives of Australia, the United States of America, and Canada, said that referring to her country by a name other than its official one showed a regrettable lack of respect and sensitivity. Myanmar implemented strictly all the many United Nations instruments to which it was a party, and was moving towards democracy with a National Convention where 633 of the 1,088 delegates were from national minorities and over 100 represented the many armed groups in the country. Given the difficulties of persuading armed groups to participate in negotiations, Myanmar rejected unwarranted criticism of the degree to which its National Convention was inclusive. Far from being a threat to the region, it was a factor for peace and stability and had been cited as a model society for religious tolerance by Mrs. Ogata. As for Canada's remarks concerning forced labour, Myanmar continued to cooperate with the International Labour Organization

to eradicate forced labour and was striving to uphold the basic human rights of all its citizens.

69. **Ms. Gardashova** (Azerbaijan), responding to the statement by Armenia and the letter circulated in document A/C.3/60/5, stated that Armenia's efforts to camouflage its annexation of Azerbaijan's territory under the banner of "self-determination" were doomed to failure. The self-styled separatist regime in Nagorny Karabakh had seceded unilaterally from Azerbaijan but was recognized by no other country, and the region would always be an integral part of Azerbaijan. The figures in the Secretary-General's report in document A/60/305 no longer reflected the true situation, because under a new law Azerbaijan could give citizenship to 250,000 Azerbaijani refugees expelled from Armenia. Her Government dismissed Armenia's accusations of a blockade against Nagorny Karabakh, since a State could not blockade its own territory; on the contrary, it was Armenia which was blockading Azerbaijan, with Nakhichevan completely cut off from the rest of Azerbaijan except by air, to the detriment of the 50,000 jobless people there, including 1,400 families forced out of Nagorny Karabakh. Apart from the road link via Iran, for whose cooperation her country was very grateful, the only way out of the blockade was the State-subsidized air shuttle. Armenia had mentioned in its letter the idea of re-opening communications as a confidence-building measure, without preconditions and without benefits to Armenia; that suggestion required further elaboration. The Azerbaijani proposal to re-open the former transport corridors, made at the current session by the Minister for Foreign Affairs, should not be overlooked. It would be constructive of Armenia to withdraw its forces from the four areas along the railroad linking Nakhichevan to the rest of Azerbaijan. Armenia's refusal of Azerbaijani rescue teams to help after its earthquake was not a positive sign, since democratization and stability in the southern Caucasus would only be possible once all the States in the region were willing to cooperate.

70. **Ms. Halabi** (Syrian Arab Republic) condemned the practice of politicizing the human rights question by singling out a State or group of States. That practice was especially unfair in the case of her country, which had acceded to more United Nations conventions than some of the States pointing the finger of accusation. It was no longer tenable for the United States of America to claim to be defending human rights while violating them itself in other parts of the world.

71. Responding to the representative of Canada, she pointed out that the Syrian Arab Republic upheld its international obligations, especially under those Conventions to which it had acceded, and suggested that the meetings should be used to formulate criteria to which all were committed rather than to raise controversies over reports that lacked objectivity.

72. **Mr. Schlosser** (Israel) expressed disappointment at the similarity of the statement by Palestine to those of previous sessions, in spite of the dramatic changes which had taken place in the country. The Palestinian Authority had to assume responsibility for implementing its part of the road map, rather than speak as though there were no terrorism and human rights violations on the Palestinian side. The commitment to peace made by Prime Minister Sharon and Chairman Mahmoud Abbas at the Sharm el-Sheikh meeting had been followed by Mr. Sharon's courageous withdrawal of all troops and civilians from Gaza and part of the West Bank. It was now the task of the Palestinian Authority to disarm the Palestinian terrorists who had perpetrated more than 26,000 attacks against Israeli targets in the past five years. Israel sought peace, and the Gaza disengagement was a window of opportunity for both peoples. If the Palestinians would only reject violence and terror and discontinue unhelpful rhetoric, they would establish the climate necessary for moving forward towards cooperation and peace.

73. **Mr. Pak** Tok Hun (Democratic People's Republic of Korea), replying to statements by the representatives of the United States of America and Australia, regretted the levelling of stereotyped human rights allegations against selected countries, which refused to submit, and later intervening in their internal affairs in order to establish a regime more to the accusers' liking. The United States was clearly aiming at "system change" and the collapse of the country's Government, with its "North Korea Human Rights Act" and the appointment of a special envoy for human rights in North Korea. The United States was quick to accuse others, but silent on its own appalling human rights record, which included such acts as occupying an independent State and massacring its civilians. In the United States only the rich had privileges. Abu Ghraib and Guantanamo were merely the tip of an iceberg, and the United States should repent its grave violations of human rights. Australia, too, should refrain from

applying double standards and making provocative, fault-finding statements.

74. **Mr. Vohidov** (Uzbekistan), said that various of the comments made by the United Kingdom (on behalf of the European Union), the United States of America and Canada were based on allegations and rumours, in an attempt to manipulate human rights standards for their own ends. A draft resolution would be submitted by the European Union concerning the events in Andijan, and it was necessary to clarify the circumstances and state what exactly had happened. In May 2005, several armed groups had attacked a military unit, releasing and arming 500 prisoners from the city jail, officials of the city administration had been attacked and taken hostage; and the insurgents had tried to seize Andijan with the political motivation of overthrowing Uzbekistan's constitutional Government. The investigation, which had been carried out by the competent authorities, had been monitored by the country's parliament and by an international group made up of foreign diplomats working in the country, which unfortunately the United States and the European countries had refused to join, stating a preference for an international investigation, which would clearly be a violation of the principle of non-interference in the internal affairs of a sovereign State. Uzbekistan would view calls for such an investigation as unjustified pressure on the country, which would push Central Asia into turmoil and allow terrorists and extremists to exploit the situation. Any attempt by the European Union and the United States of America to inflate the issue would discriminate against Uzbekistan's efforts to build a free and democratic society.

The meeting rose at 5.38 p.m.